

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LINNIELL PHIPPS,

Petitioner,

v.

KENNETH QUINN,

Respondent.

CASE NO. C06-0323C

ORDER DENYING § 2254 HABEAS
PETITION AND MOTION FOR
STAY AND ABEYANCE

The Court, having reviewed Petitioner's § 2254 habeas petition, Petitioner's motion for stay and abeyance, Respondent's Answer, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, and the remaining record, finds and Orders as follows:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's §2254 habeas petition (Dkt. No. 4) is DENIED;
- (3) Petitioner's motion for stay and abeyance (Dkt. No. 5) is DENIED;
- (4) This action is DISMISSED with prejudice; and
- (3) The Clerk is DIRECTED to send copies of this Order to Petitioner, counsel for Respondent, and to the Honorable Monica J. Benton.

DATED this 20th day of July, 2006.



UNITED STATES DISTRICT JUDGE